

Implementation of Amendment 64 Task Force

Department of Revenue Gaming Conference Room
17301 West Colfax Avenue, Suite 135
Golden, CO 80401

Meeting Minutes

January 7, 2012

1:00 p.m. – 5:00 p.m.

ATTENDANCE:

Task Force Members Present: Jack Finlaw, Barbara Brohl, Rep. Dan Pabon, Sen. Cheri Jahn, Rep. Dan Nordberg, Sen. Vicki Marble, Dr. Chris Urbina, James Davis, Christian Sederberg, Meg Sanders, Ron Kammerzell, Dr. Chris Thurstone, Charles Garcia, Larry Abrahamson, Brian Connors, David Blake, Kevin Bommer, Eric Bergman, Tamara Ward, Mike Cerbo, Daniel Zook

Task Force Members Excused: John Salazar (Mr. Ron Carleton attended on his behalf)
Craig Small (Ms. Lauren Davis attended on his behalf)
Sam Kamin (Mr. Eli Wald attended on his behalf)

Staff Members: Mark Couch, Brandon Friede, Lindsay Cox, Mia Tsuchimoto

CALL TO ORDER:

Co-Chairs Mr. Finlaw and Ms. Brohl called the meeting to order at 1:04 p.m.

Introduction and Welcome: Mr. Finlaw and Ms. Brohl welcomed the Task Force and members of the public to the meeting. Task Force members were then asked to reintroduce themselves to one another and the public. Mr. Salazar sent a proxy to the meeting, Mr. Carleton. Mr. Small sent a proxy to the meeting, Ms. Davis. Mr. Kamin sent a proxy to the meeting, Mr. Ward. Ro Silva was introduced as the new Task Force PIO, taking over for Mark Couch.

Co-Chairs Mr. Finlaw and Ms. Brohl reviewed the intended transparency of the Task Force and the rules for public comment. It was stated that comment is encouraged from the public. Mr. Finlaw and Ms. Brohl reminded those in attendance that the merits of Amendment 64 were not to be debated but recommendations for implementation at the end of the Task Force's duration is the goal. When the Task Force is ready to make recommendations, Task Force facilitator William Browning and his group, will assist with formatting and presentation.

Logistics: Mr. Finlaw reviewed the dates and times of future Task Force meetings. All meetings will be held from 1:00 p.m. to 5:00 p.m. The next Task Force meeting is scheduled for January 22nd, with subsequent meetings scheduled for: February 5th, February 19th and February 28th.

Mr. Finlaw next addressed the inquiries the Task Force received, regarding requests to add additional members to the Working Groups. It was reiterated that the Working Groups have been formed and started meeting, thus no new members will be added. In an effort to maximize efficiency, Groups have been

balanced out to represent as many viewpoints as possible while retaining a reasonable size. It was stressed that those interested parties should be invited to attend these open Working Group meetings and offer public comment. These meetings are open to the public and the notices, documents and minutes that these meetings provide can be found on the Department of Revenue website.

Report of the Regulatory Framework Working Group: Working Group Co-Chairs Rep. Pabon and Mr. Kammerzell delivered the report with Task Force member Ms. Sanders. The Group had its first meeting on January 3rd, where it went over expectations and guidelines. Three key areas were identified that will be of focus in subsequent meetings: vertical integration as a possible regulatory model; Colorado residency requirement to purchase recreational marijuana; and broad principles that may frame the debate in a general sense. No definite conclusions were reached in any of the three areas. The Working Group's next meeting will be held on January 10th, from 2:00 p.m. to 5:00 p.m. In addition to the three key areas of focus, the Working Group will focus on sub issues at the next meeting, including: issues of public policy; identifying federal complications; and ID requirements. The Working Group finished their report by answering questions posed by Task Force members.

Report of the Consumer Safety/Social Issues Working Group: Working Group Co-Chairs Mr. Sederberg and Dr. Urbina delivered the report with Task Force member Dr. Thurstone. The Group had its first meeting on January 3rd. The outcome of the meeting was an effort to get members together and develop working relationships. At the meeting, members introduced themselves, followed by identifying issues laid out by the Task Force as well as issues that may be missing. The Group then took roughly 30 minutes of public comment, which will be incorporated into the working issues. The Working Group finished their report by answering questions posed by Task Force members.

Report of the Criminal Law Issues Working Group: Working Group Co-Chairs Mr. Davis and Mr. Connors delivered the report with Task Force members Mr. Abrahamson, Mr. Zook, Mr. Garcia and Rep. Nordberg. The Group had its first meeting on January 7th. The Group's next meeting is scheduled for January 18th, from 10:00 a.m. to 12:00 p.m. at the Colorado Division of Homeland Security and Management in Centennial. Two proposals were offered to the Task Force at large. The Group first proposed that they will not revisit the issue of implementing a standard for DUID. It was suggested that the recommendations reached by the Commission on Criminal & Juvenile Justice (CCJJ) be adopted by the Task Force. Second, it was proposed that regulation on industrial hemp be determined at a later date, given the time constraints placed on the Task Force. Votes on both proposals were tabled until the next Task Force meeting.

The Working Group next reported that their work will be delegated into subgroups. These subgroups will address varying issues as identified: statutory modifications to the Colorado Constitution; Amendment 64 terminology that needs to be clarified and defined; time, place and manner restrictions; and issues in law enforcement. It was stressed that protection of the youth will be addressed in all these areas. The two proposals (DUID and Industrial Hemp) that were tabled for a vote until the next meeting were further detailed and discussed by the Working Group and members of the Task Force at large. The Working Group closed their report by answering questions posed by Task Force members.

Report of the Tax/Funding and Civil Law Issues Working Group: Working Group Co-Chairs Mr. Blake and Sen. Jahn delivered the report with Task Force members Ms. Ward and Mr. Cerbo. As of the time of the meeting, the group planned to have its first meeting on January 9th, from 11:00 a.m. to 1:00 p.m. The Group discussed how they were to run their meetings over the next few weeks. It was determined that the strategy of focusing on one issue per meeting would be effective. The Group finished their report by answering questions posed by Task Force members.

Report of the Local Authority and Control Working Group: Working Group Co-Chairs Mr. Bommer and Mr. Bergman delivered the report with Task Force member Sen. Marble. The Group reported that the first scheduled meeting is for January 11th, from 12:00 p.m. to 4:00 p.m. It was stated that the membership list for the Group was finalized and that individual roles for such members would be determined at the first meeting. All documents and information will be accessible to the public on the Department of Revenue website. Additionally, the Group will begin its discussion with the issue of funding and costs regarding the application and licensing fees. The Group plans on hearing from and working with law enforcement as well as local administrative bodies. Meetings are likely to be held on Fridays for scheduling purposes. The Group finished their report by answering questions posed by Task Force members.

Identification of issues that have cross-working group implications: Co-Chairs Mr. Finlaw and Ms. Brohl changed the focus of the meeting with intent to clarify assigned Working Groups issues. At this time, Task Force members brought up issues that either are incorrectly assigned to a Working Group or should be the focus of the Task Force at large. It was proposed that all groups take the criminal implications with all recommendations in mind. Additionally, it was proposed that the Task Force at large take up the discussion concerning THC content in recreational marijuana, as a matter of public policy. Also, the source of revenue for local authority was proposed as an issue for the Task Force. No definitive measures were taken to adopt such proposals as areas of focus for the Task Force at large.

Other Business: Mr. Finlaw urged the Task Force to bring issues to the table that may be resolved before the February recommendation deadline. Comment was opened up to all members of the Task Force to raise issues not addressed in the meeting at this time. The Task Force discussed the “directive” of Amendment 64 which desires to “regulate marijuana like alcohol” and potential issues that may arise. Co-Chairs Mr. Finlaw and Ms. Brohl again stressed the desire for the public to attend any Work Group meeting and provide comment.

Public Comment: Co-Chairs Mr. Finlaw and Ms. Brohl opened up the meeting for public comment at 4:04 p.m. Eighteen members of the public chose to address the Task Force during this time, covering a variety of topics of public concern. Having no other members of the public wishing to speak, Mr. Finlaw and Ms. Brohl closed public comment at 4:39 p.m.

CLOSING:

Closing remarks were given by Mr. Finlaw and Ms. Brohl, where members of the public and the Task Force were all thanked for their time. A reminder was given that all of the Task Force working documents and notices of the Working Group meetings and materials will be placed on the Department of Revenue website where they can be located.

Adjourn Implementation of Amendment 64 Task Force: Having no further business to come before the Task Force, Mr. Finlaw and Ms. Brohl adjourned the meeting at 4:41 p.m.